

In the Matter of

WC Docket No. 13-184

Cellular South, Inc. (d/b/a C Spire Wireless)¹ and Telepak Networks, Inc. (d/b/a C Spire Fiber)² (collectively, “C Spire”) submit these reply comments in response to the Notice of Proposed Rulemaking (“NPRM”) issued in the above-captioned proceeding.³

³ *Modernizing the E-rate Program for Schools and Libraries*, Notice of Proposed Rulemaking, WC Docket No. 13-184, FCC 13-100 (rel. July 23, 2013).

SUMMARY

C Spire supports the Federal Communications Commission’s (“FCC” or “Commission”) efforts to reform the E-rate program and provide schools and libraries with improved access to high-speed broadband. Achieving the FCC’s stated goals of (1) ensuring schools and libraries have affordable access to 21st Century broadband that supports digital learning; (2) maximizing the cost-effectiveness of E-rate funds; and (3) streamlining the administration of the E-rate program⁴ is foundational to equipping today’s students to engage in tomorrow’s digitally-enabled economy. As commenters have noted, the fundamental task is clear and stark: “[l]ong-term American competitiveness requires putting 21st century technology in the hands of our students and teachers.”⁵ In the end, that task will require fiber-enabled connectivity in every one of our nation’s K-12 classrooms and providing reasonable opportunities for equivalent access beyond the school and library.

C Spire is already committed to actively pursuing that goal in the areas it serves and urges the Commission to quickly enable school districts – especially smaller, rural districts – to use E-rate support to purchase high-speed, fiber-enabled “hosted” or “leased” services solutions. By allowing schools to lease on a monthly basis, rather than purchase, expensive networking hardware from service providers (e.g. campus-wide Wi-Fi systems that permit one-to-one level connectivity), schools could eliminate the need for significant capital investments that many small and rural districts often cannot afford or do not have the expertise to maintain. At a minimum, this change would require the FCC to eliminate the outdated “priority one” and “priority two”

⁴ NPRM ¶ 12.

⁵ LEAD Commission Comments, p. 10.

eligibility structure, which routinely prevents a school's E-rate supported broadband connection from reaching the students in the classroom.

Additionally, while the nation works toward the ultimate goal of ubiquitous high-speed connectivity for America's K-12 students, the Commission must be mindful of the risk of stalling existing mobile broadband availability. The Commission must avoid reforms that would temporarily or permanently limit the broadband access that E-rate support currently makes available to many rural and impoverished educators and communities.

DISCUSSION

I. The Commission Should Eliminate Priority One and Priority Two Eligibility Distinctions

As the Commission and the President have noted, today's K-12 students are being educated in and will enter a workforce that demands the ability to consume and analyze information on a nearly instant basis. While many of our nation's schools have a basic level of Internet access, that access does not meet the speed and capacity demands required to train and equip students for the digital economy that they will encounter after graduation. Teachers in every K-12 classroom need the bandwidth to fully utilize the digital learning tools available to enhance each child's learning experience. To accomplish that, every classroom – indeed, every student – will ultimately need access to the sort of speeds and capacity available from a high-speed, fiber-enabled broadband connection.

The NPRM correctly notes that “[h]igh bandwidth connectivity to a school or library serves little purpose if students and patrons inside are not able to use it effectively because internal wired

and wireless connections are missing or insufficient.”⁶ Unfortunately, that is often the case in smaller or rural school districts, where, as the Commission notes, “the lack of internal connections funding – due to increasing restrictions on the availability of priority two support – have become a barrier to adoption of higher speed connections for many schools and libraries.”⁷

C Spire encourages the Commission to eliminate the antiquated “priority one” and “priority two” eligibility distinctions. In order to support delivery of high-speed connectivity to every K-12 student, the Commission should instead consider a per-pupil allocation of E-rate funding. That support should then be used by schools and school districts to establish both the “external” broadband connection (historically “priority one” service) as well as “hosted” services that deliver the school’s external broadband connection to each student across a wired or Wi-Fi network.

C Spire has successfully begun piloting this type of solution in a handful of schools in Mississippi, which received supplemental funding from the State of Mississippi to help bridge the “internal” (priority two) funding gap for which E-rate support was not available. C Spire’s solution includes managed campus Wi-Fi services and fiber-enabled, dedicated Internet access that provides the school and each student with the reliability, speeds and support necessary to meet the increasing bandwidth demands of an evolving digital learning environment.

⁶ NPRM, ¶ 143.

⁷ Id.

C Spire's offering is referred to as a "hosted" solution because all of the equipment necessary to deliver high-speed broadband to the school and then to each student across a campus-wide Wi-Fi network is owned and maintained by C Spire. This arrangement relieves the schools and school districts of the significant capital expense typically required for equipment acquisition, maintenance, support and repair. This solution also enables schools and school districts to avoid the significant costs required for technology upgrades and retention of full-time personnel with the expertise necessary to keep such networks up and running in a high-demand, always-on environment.

Participating schools or school districts pay a monthly recurring fee to C Spire for the service. This monthly fee covers all costs related to the fiber-enabled broadband connection and campus-wide Wi-Fi and enables the school to provide the sort of one-to-one connectivity necessary to enable today's digital learning tools (e.g., tablets, smart boards, virtual learning systems, etc.). Most importantly, this solution provides each school with the infrastructure needed to adapt to the high-speed, high-bandwidth educational applications that will continue to emerge. This solution additionally provides full connectivity for schools without requiring them to augment their existing IT staff, and it also ensures that schools always have modern network components.

C Spire's hosted solution efforts remain in the early, pilot project stages. However, we look forward to providing additional details to the Commission as we are able to quantify the project's outcomes and recommend best practices.

II. Any E-rate Reform Should Protect Existing Support for Mobile Broadband Connectivity

C Spire joins with several commenters who express concern over the risk that proposed E-rate program reforms may harm existing mobile broadband connectivity.⁸ Like those commenters, C Spire urges the Commission to ensure that any new performance requirements for the E-rate program continue to make funding available for wireless services. Schools and libraries should be given the time and freedom necessary to choose how best to combine and transition from E-rate supported wireless broadband services to the sort of high-speed connectivity that the Commission expects to foster in the future.

C Spire's experience confirms what recent studies have concluded: there remains a significant wireline "broadband gap" in too many communities for E-rate support of wireless mobile broadband service to simply end.⁹ For educators and students in these communities, a wireless mobile broadband connection may be the only high-speed Internet connection available.

⁸ See, CCA Comments, p. 7-10; Verizon Comments, p. 18; CTIA Comments, pp. 8-9.

⁹ A Pew Internet poll recently found that 79 percent of teachers reported allow students to access assignments online, and 76 percent of teachers reported allowing students to submit assignments online. But, while 54 percent of teachers said all or almost all of their students have sufficient access to digital tools at school, only 18 percent said that all or almost all of their students have access to the digital tools they need at home. What's more, teachers of the lowest income students were the least likely to say their students have sufficient access to the digital tools they need, both in school and at home. See, Competitive Carriers Association ("CCA") Comments, p.8-9 (citing, Kristen Purcell *et al.*, Pew Internet & American Life Project, *How Teachers are Using Technology at Home and in their Classrooms* 3 (Feb. 28, 2013)).

Because of the relatively low cost of wireless service and devices, “wireless technology is helping to bridge some of these deficiencies” resulting from the wireline broadband gap.¹⁰

Today, in some rural areas and impoverished communities, educators depend upon mobile broadband services. For many, mobile broadband access is only possible because of an E-rate supported device connected to a wireless carrier’s USF-supported network. In too many cases, the copper-based, wireline network that reaches our nation’s smaller communities simply does not support the speed or capacity necessary for today’s digital learning applications. And, even where a fiber-optic network is available to a school, it is often not economically feasible to bring that high-speed connectivity from the schoolhouse door or the district’s central office to each student under the current E-rate support structures.¹¹

C Spire’s experience in Mississippi is instructive. C Spire Fiber provides dozens of Mississippi school districts with fiber-enabled high-speed Internet access. Even so, there are many parts of the state (and rural areas throughout the country) where high-speed, fiber-enabled broadband connections are not immediately or easily available to students and teachers – either at the schoolhouse or at home. E-rate support currently enables educators in these and other areas to utilize wireless networks and devices to access mobile broadband. Yet, the Commission’s NPRM does not address this fact.

¹⁰ CCA Comments, p. 8 (internal citations omitted).

¹¹ *See, supra* at pp. 3-5 re reform of the priority one and priority two eligibility system to address this issue.

The NPRM fails to reference the important “anywhere, anytime” benefits mobile broadband solutions offer to schools, libraries and communities. As Sprint has noted in another proceeding: “to deny funding for wireless telecommunications and Internet access services simply because the eligible user is not seated at a desk on campus or in the library, subverts the intent of the E-rate program and prevents applicants from realizing the full productivity benefits of wireless technology.”¹² The FCC should, therefore, carefully consider and make accommodation for the advantages of mobile wireless broadband, especially in rural areas, as it reforms the E-rate program.

CONCLUSION

C Spire supports the Commission’s efforts to comprehensively update the E-rate support system to accommodate the educational needs of today’s K-12 students. In particular, the Commission should move quickly to enable school districts – especially smaller, rural districts – to use E-rate support to purchase high-speed, fiber-enabled “hosted” services solutions by eliminating the outdated “priority one” and “priority two” eligibility structures. In addition, the Commission must acknowledge the important role E-rate support for mobile broadband services continues to play for many school districts and the FCC should not implement rules that will limit or harm educators’ and students’ ongoing access to wireless services.

¹² Comments of Sprint Nextel Corporation, CC Docket No. 02-6 at 2 (filed June 19, 2009).

Respectfully submitted,

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